

**REMARKS**

Amendments to Specification

The amendments to the specification are made to conform the description with the claims as presently amended. No new matter has been introduced by the amendments.

Claim Amendments

Allowed claim 52 has been amended to correct an informality arising from the lack of antecedent basis for the word "features" in the first line of the second paragraph. The amendment to merely conforms the language of the second paragraph of the claim with the first paragraph. Accordingly, it is respectfully submitted that the allowability of claim 52 is not affected by the amendment.

New Claims 68-70

New claims 68, 69 and 70 are intended to replace canceled claim 64. It is respectfully submitted that claims 68-70 are fully patentable over the cited prior art.

New Claims 71-73

New claims 71-73 are intended to replace canceled claim 65. It is respectfully submitted that claims 71-73 are fully patentable over the cited prior art of record.

With regard to claims 71-73, Gwyther fails to disclose the flat strips located beneath flooring panels in such a manner that the panels are not structurally supported from below by the strips. The use of such thin strips facilitates laying new floor panels over old flooring or support surfaces without forming obstacles resulting from raising the new floor beyond that which is practical in view of existing doors and moldings.

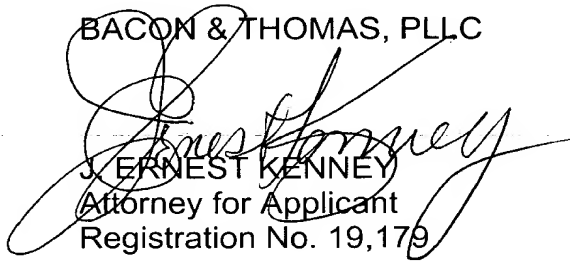
It is also noted that the panels in Gwyther are not supported between successive channel members 10 so that the Gwyther supports are impractical when used with thin flooring panels such as laminated flooring panels.

**Serial Number: 09/869,299**  
**Group Art Unit: 3635**

In view of the foregoing amendments and comments, it is respectfully submitted that withdrawal of the rejection of the application is warranted. Passage of the application to issue is respectfully requested.

Respectfully submitted,

BACON & THOMAS, PLLC



J. ERNEST KENNEY  
Attorney for Applicant  
Registration No. 19,179

Date: March 21, 2005

Customer **23364**

**BACON & THOMAS, PLLC**

625 Slaters Lane - 4<sup>th</sup> Floor

Alexandria, VA 22314-1176

Telephone: (703) 683-0500

Facsimile: (703) 683-1080

S:\Producer\jek\CAPPELLE - 869299\amendment 3 2005.wpd